

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

STEVEN R. TACKETT,

Petitioner,

v.

CASE NO. 2:13-CV-506

CRIM. NO. 2:10-CR-140

JUDGE GREGORY L. FROST

Magistrate Judge Elizabeth A. Preston Deavers

UNITED STATES OF AMERICA,

Respondent.

OPINION AND ORDER

On November 21, 2014, the Magistrate Judge issued a Report and Recommendation recommending that the Court deny Petitioner's motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255 and then dismiss this action. (ECF No. 103.) Petitioner has filed objections to the Magistrate Judge's Report and Recommendation. (ECF No. 106.) Given the substance of the objections, their disposition would be adverse to Petitioner regardless of any response by Respondent. The Court therefore shall act upon the objections in advance of the scheduled non-oral hearing date. (ECF No. 107.)

Pursuant to 28 U.S.C. § 636(b), this Court has conducted a *de novo* review. That review indicates that Petitioner's objections simply raise all of the same arguments he previously presented. Accordingly, for the reasons correctly detailed in the Magistrate Judge's Report and Recommendation and incorporated herein by reference, the Court **OVERRULES** Petitioner's Objection (ECF No. 106) and **ADOPTS** and **AFFIRMS** the Report and Recommendation (ECF No. 103). This Court therefore **DENIES** Petitioner's request for an evidentiary hearing and his motion (ECF No. 49). This action is hereby **DISMISSED**. The Clerk shall enter judgment

accordingly and terminate this case on the docket records of the United States District Court for the Southern District of Ohio, Eastern Division.

IT IS SO ORDERED.

/s/ Gregory L. Frost

GREGORY L. FROST

UNITED STATES DISTRICT JUDGE